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**FILED**

AUG 10 2011

Board of Vocational Nursing  
and Psychiatric Technicians

8 **BEFORE THE**  
9 **BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. PT-2010-1177

12 **PAULA DENISE HUSBAND**  
13 900 Patria Circle  
Atascadero, CA 93422

**A C C U S A T I O N**

14  
15 Psychiatric Technician License No. PT 31540

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") brings this Accusation solely  
21 in her official capacity as the Executive Officer of the Board of Vocational Nursing and  
22 Psychiatric Technicians, Department of Consumer Affairs.

23 2. On or about December 3, 2002, the Board of Vocational Nursing and Psychiatric  
24 Technicians ("Board") issued Psychiatric Technician License No. PT-31540 to Paula Denise  
25 Husband ("Respondent"). The Psychiatric Technician License was in full force and effect at all  
26 times relevant to the charges brought herein and will expire on February 29, 2012, unless  
27 renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board, under the authority of the following  
3 laws. All section references are to the Business and Professions Code unless otherwise indicated.

4 4. Section 4520 provides, in pertinent part, that the Board may discipline any licensed  
5 psychiatric technician for any reason provided in Article 3 (commencing with section 4520) of  
6 the Psychiatric Technicians Law (Code § 4500, et. seq.)

7 5. Section 118, subdivision (b) provides, in pertinent part, that the expiration of a license  
8 shall not deprive the Bureau jurisdiction to proceed with a disciplinary action during the period  
9 within which the license may be renewed, restored, reissued or reinstated. Under section 4545 of  
10 the Code, the Bureau may renew an expired license at any time within four years after the  
11 expiration.

12 **STATUTES AND REGULATIONS**

13 6. Section 4521 provides, in pertinent part:

14 "The board may suspend or revoke a license issued under this chapter [the Psychiatric  
15 Technicians Law (Bus. & Prof Code, 4500, et seq.)] for any of the following reasons:

16 "(a) Unprofessional conduct, which includes but is not limited to any of the following:

17 . . . .

18 (5) Use any controlled substance as defined in Division 10 (commencing with  
19 Section 11000) of the Health and Safety Code, or any dangerous drug as defined in  
20 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or  
21 injurious to himself or herself, any other person, or the public or to the extent that the  
22 use impairs his or her ability to conduct with safety to the public the practice  
23 authorized by his or her license.

24 . . . .

25 "(f) Conviction of any offense substantially related to the qualifications, functions, and  
26 duties of a psychiatric technician, in which event the record of the conviction shall be conclusive  
27 evidence of the conviction. The board may inquire into the circumstances surrounding the  
28 commission of the crime in order to fix the degree of discipline.

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b. On or about October 4, 2010, after pleading nolo contendere, Respondent was convicted of one misdemeanor count of violating Vehicle Code section 23152(b) [drive with a greater than 0.08% blood alcohol] in the criminal proceeding entitled *The People of the State of California v. Paula Denise Husband* (Super. Ct. San Luis Obispo County, 2010, No. M000451408). This conviction was enhanced under Vehicle Code section 23578 [having a blood alcohol concentration of 0.15% or more]. The circumstances surrounding this conviction are that on or about September 3, 2010, an officer of the Atascadero Police Department witnessed respondent driving erratically when she nearly collided with a curb and then crossed a double yellow line into a bike path. While questioning Respondent, the arresting officer observed that Respondent's speech was slurred and that she smelled strongly of alcohol. Respondent was then asked to perform a series of field sobriety tests, which she failed. She also provided two breath samples to an alcohol screening device which registered Respondent's blood alcohol content at .21% and .22%, respectively.

## SECOND CAUSE FOR DISCIPLINE

**(Unprofessional Conduct: Dangerous Use of Alcohol)**

10. Respondent is subject to disciplinary action under Code section 4521, subdivision (a)(5), in that Respondent, on two separate occasions, used alcoholic beverages in a manner dangerous or injurious to herself, any other person, or the public and to the extent that such use impairs her ability to conduct with safety to the public the practice authorized by her license. The conduct is more particularly described in paragraph 9, subparagraphs (a) and (b), inclusive, above, and herein incorporated by reference.

## PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric Technicians issue a decision:

1. Revoking or suspending Psychiatric Technician License No. PT-31540, issued to Paula Denise Husband;

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1           2.     Ordering Paula Denise Husband to pay the Board the reasonable costs of the  
2 investigation and enforcement of this case, pursuant to Business and Professions Code section  
3 125.3; and

4           3.     Taking such other and further action as deemed necessary and proper.

5  
6 DATED: August 10, 2011



TERESA BELLO-JONES, J.D., M.S.N., R.N.  
Executive Officer  
Board of Vocational Nursing and Psychiatric Technicians  
Department of Consumer Affairs  
State of California  
*Complainant*

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